

The Town of Leesburg
MUNICIPAL GOVERNMENT CENTER
25 WEST MARKET STREET

AGENDA

TOWN COUNCIL MEETING
Tuesday, September 14, 2004
7:30 p.m.
Council Chambers

-
- A. INVOCATION: Councilmember Horne
- B. SALUTE TO THE FLAG: Mayor Umstattd
- C. ROLL CALL – Vice-Mayor Martinez arrived at 8:00 p.m.
- D. MINUTES:
July 26, 2004, work session
(The minutes were approved by a 5-0-1-1 vote with minor edits; Zoldos abstaining and Martinez absent)

July 27, 2004, regular meeting
(The minutes were approved by a 6-0-1 vote with minor edits; Martinez absent)
- E. PRESENTATIONS:
- a. Resolution of Respect – Jackie Mabe
Mayor Umstattd asked that the Resolution of respect be mailed to the family of Mr. Mabe.
 - b. Proclamation – Constitution Week
On behalf of the entire Council, Mayor Umstattd presented the proclamation to Lyle Werner and the Daughters of the American Revolution.
 - c. Virginia Regional Transportation Association
 - d. Jamestown 2007 – Doug Foard
 - e. Proclamation – Hispanic Heritage Month
On behalf of the entire Council, Mayor Umstattd presented the proclamation to Jose Guardado in appreciation of his dedication to the Town of Leesburg as a member of the Leesburg Police Citizens Support Team and a Loss Prevention Officer at Wal-Mart.

F. PETITIONERS:

(There were 8 speakers)

G. PUBLIC HEARING:

- a. Approving commission permit TLCP-2004-0004 and approving special exception TLSE-2004-0017 to permit a cellular telecommunications facility on Fort Evans Road, NE.

(There were 2 speakers)

H. COUNCIL COMMENTS:

I. MAYOR'S COMMENTS:

J. MANAGER'S REPORT:

K. LEGISLATION:

ORDINANCES

None

CONSENT AGENDA

On a motion by Vice Mayor Martinez, seconded by Councilmember Burk, the following Consent Agenda was approved by a 7-0 vote:

1. **RESOLUTION
2004-138**

Accepting public improvements, releasing the performance guarantee and approving a maintenance guarantee for public improvements at the Star Pontiac-GMC, Inc. vehicle storage area.

2. **RESOLUTION
2004-139**

Making a reduction of the performance guarantee for public improvements installed in the Hamlets at Leesburg.

3. **RESOLUTION
2004-140**

Accepting public improvements, releasing the performance guarantee and approving a maintenance guarantee for public improvements at the Rehau Headquarters expansion and the sanitary sewer extension.

4. **RESOLUTION
2004-141**

Authorizing an agreement and approving a performance guarantee and water and sewer extension permits for the Rosebrook Subdivision.

5. **RESOLUTION
2004-142**

Accepting public improvements, releasing the performance guarantee and approving a maintenance guarantee for public improvements at Kincaid Forest Sections 4B, 4C, 11, 12A and 12B.

6. **RESOLUTION**
 2004-143
 Authorizing a time extension for completion of public improvements and approving a performance guarantee for CVS/Pharmacy #1415-2.
7. **RESOLUTION**
 2004-144
 Authorizing an agreement and approving a performance guarantee for God's Children Learning Center.
8. **RESOLUTION**
 2004-145
 Correcting resolution No. 2004-132 pertaining to River Creek, Phase VII, Sections 4, 4A, and 4C.

REGULAR AGENDA

On a motion by Vice Mayor Martinez; seconded by Councilmember Horne, the following motion was approved by a 7-0 vote:

9. **RESOLUTION**
 2004-146
 Authorizing staff discussion with J.R. Festival Lakes regarding zoning alternatives and utilities extensions.

The following motion was deferred:

10. **RESOLUTION**
 Advertising all town municipal elections on a portable electronic message board.

On a motion by Councilmember Burk, seconded by Vice Mayor Martinez, the following motion was approved by a 7-0 vote:

11. **RESOLUTION**
 2004-147
 Amending Sections 12.1 – 50(C) and 12.1 – 50.1 of the Personnel Manual regarding holiday pay.

On a motion by Councilmember Hammler, seconded by Vice Mayor Martinez, the following motion was approved by a 7-0 vote:

12. **RESOLUTION**
 2004-148
 Requesting Virginia Department of Transportation (VDOT) funding for highway projects within the Town of Leesburg in the Virginia Department of Transportation Six-Year Improvement Plan for Fiscal Years 2005-2006 through 2010-2011.

On a motion by Councilmember Horne, seconded by Vice Mayor Martinez, the following motion was approved by a 7-0 vote:

**13. RESOLUTION
2004-149**

Approving the purchase of a replacement jet-rodger and sewer vacuum for the Utility Lines Division.

L. BOARDS AND COMMISSIONS

- a. Airport Commission – **Vice Mayor Martinez stated there would be an Open House at the airport in October.**
- b. Thomas Balch Library Commission – **No comment**
- c. Board of Architectural Review – **No comment**
- d. Cable Commission – **Vice Mayor Martinez stated he would bring forward a resolution at the next meeting to fill the vacancy on this commission.**
- e. Economic Development Commission – **Vice Mayor Martinez stated he would bring forward a resolution at the next meeting to appoint Larry Schonberger to this commission.**
- f. Environmental Advisory Commission – **No comment**
- g. Information Technology Commission – **No comment**
- h. Parks and Recreation Commission – **No comment**
- i. Planning Commission – **No comment**
- j. Tree Commission – **No comment**
- k. Standing Residential Traffic Committee – **No comment**

M. OLD BUSINESS

- a. Olde Izaak Walton Park
There was no discussion of this item

N. NEW BUSINESS

- a. **On a motion by Vice Mayor Martinez, seconded by Councilmember Kramer the following motion was approved by a 7-0 vote:**

**RESOLUTION
2004-150**

Support a grant application for watershed planning in the Town of Leesburg submitted by the EPA Region III Geographic Initiative Program by the Piedmont Environmental Council (PEC), and establishing a steering committee to coordinate the efforts of the Town and the PEC.

- b. **On a motion by Councilmember Burk, seconded by Vice Mayor Martinez, the following motion was approved by a 7-0 vote:**

**RESOLUTION
2004-151**

Authorizing the lease agreement by and between American Helicopters, Inc. and the Town of Leesburg for the Leesburg Executive Airport.

- c. **On a motion by Vice Mayor Martinez, seconded by Councilmember Burk, the following motion was approved by a 7-0 vote:**

RESOLUTION

2004-152

Authorizing the lease agreement by and between Piedmont-Hawthorn Aviation and the Town of Leesburg for the Leesburg Executive Airport.

- d. **On a motion by Councilmember Hammler, seconded by Vice Mayor Martinez, the following motion was approved by a 7-0 vote:**

RESOLUTION

2004-153

Approving a \$50,000 appropriation from the A.V. Symington Fund to the Parks and Recreation Department Operating Budget for preliminary architectural and engineering services for Ida Lee Park and Recreation Center.

- e. **Closed Session for Paxton**

On a motion by Mayor Umstattd, seconded by Vice Mayor Martinez, the following motion was approved by a 7-0 vote:

Pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, I move that the Leesburg Town Council convene in a closed meeting to consider a legal matter regarding Paxton.

Council convened in closed session at 11:35 p.m.

Council reconvened and the following motion was proposed by Mayor Umstattd, seconded by Vice Mayor Martinez, and approved by a 7-0 vote:

In accordance with Section 2.2-3712(D) of the Code of Virginia, I move that Council certify that to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and such personnel matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by Council.

- N. **ADJOURNMENT**

The meeting adjourned at 12:25 a.m. on Wednesday, September 15.